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DEPARTMENT OF STATE

Washington, D.C. 20520

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Attention *Mr. McNamara*  
Keep this study together.

October 29, 1969

MEMORANDUM FOR MR. HENRY A. KISSINGER  
THE WHITE HOUSE

Subject: German Signature of the NPT

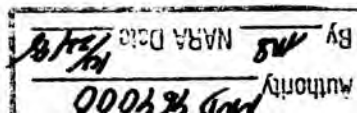
With the election of Brandt as Chancellor the prospects of early FRG signature of the NPT improved substantially. Brandt has stated publicly that his Government will act promptly and there have been reliable reports that he hopes signature will occur before the end of the year.

As its first substantive action as opposition party, the CDU/CSU introduced an interpellation on the NPT in the new Bundestag. This interpellation poses questions to the new Government which cover the whole range of doubts and objections expressed on the German side concerning the treaty in the past. Signature of the treaty will not require Bundestag approval and the Bundestag debate which will be held in connection with the interpellation is not likely to dissuade Brandt from his announced intention of signing. The SPD and the FDP will, however, wish to be in a strong position to answer the questions in such a way as to take public opinion and their own party members along with them in support of German signature. Given the widespread doubts in Germany, which are shared -- albeit silently -- by SPD Defense Minister Schmidt, this will not be an easy task. Franz Josef Strauss, in particular, can be expected to attack the treaty vigorously.

As its first step toward signature the Brandt Government is sending a delegation to Washington on October 29 to "clarify" a number of remaining questions concerning the treaty. The delegation will be headed by the new

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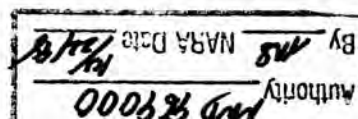
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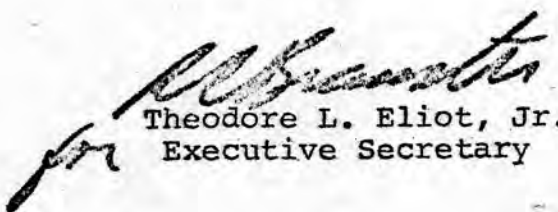
The absence of American pressure on the German Government for NPT signature during the present Administration has substantially decreased emotional resistance in Germany and thus facilitated the task of the SPD at the present time. We believe that this posture should be maintained as the best means of contributing to early signature. This would not preclude indications of the Administration's interest in having the NPT enter into force as soon as possible. We will also wish to be as forthcoming as possible with the Germans in providing information and assurances during the consultations with the German delegation. The Soviet Government has already made clear to Bonn that an improvement in relations, including an agreement on the non-use of force, is directly related to German acceptance of the NPT. We do not believe any Soviet action other than early ratification would be helpful at this time. On the contrary, further Soviet threats or pressure could play into the hands of the opposition. Indications are that Soviet propaganda is taking a cautious tone in its treatment of the new Government in Bonn.

The Soviets, until now, have given the impression that they will be satisfied with German signature of the treaty as sufficient to permit the completion of the Soviet ratification process. They have not been entirely specific, however, and it is conceivable that they might insist on German ratification prior to final Soviet action. This, as the Soviets certainly know, would present problems. The FRG as a member of EURATOM (one of the three European Communities) is bound by an opinion of the Commission of

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the European Communities, according to which ratification by member states must await the completion of satisfactory safeguard arrangements between EURATOM and IAEA. EURATOM is awaiting German signature before trying to work out a common negotiating position. Once negotiations between the two organizations have begun they could drag on for a year or more. In addition to these necessary delays, the Brandt Government, itself, once having signed the treaty, will be in no hurry to take on the task of obtaining Bundestag ratification. Before doing this it will need to be sure of almost unanimous support of the SPD and FDP Bundestag groups. Given these circumstances ratification may not occur for some time. The best way we can contribute to this process will be to consult with EURATOM, after German signature, on its negotiating position and lend our good offices to the eventual EURATOM negotiations with IAEA. Insofar as the Soviets are concerned, we shall wish to insist strongly that German signature of the treaty is evidence of German intent and is sufficient to permit both the US and the USSR to complete the ratification process, a development which in turn will encourage German ratification.

  
Theodore L. Eliot, Jr.  
Executive Secretary

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Clearances:

ACDA - Mr. Glysteen (in draft) *J.S.S.*  
EUR/RPE - Mr. Katz (in draft) *J.S.S.*  
EUR - Mr. Hillenbrand (draft) *J.S.S.*

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